

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JERRY LEE HUSKEY, JR.,

Plaintiff,

v.

PAUL BURRIS, et al.,

Defendants.

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No. 4:18-cv-00731-AGF

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Jerry Lee Huskey, Jr. for a four-month continuance of his case. (Docket No. 49). In support of his motion, plaintiff states that he is currently enrolled in the Intensive Therapeutic Community (ITC) Program at the Jefferson City Correctional Center. While he is in the program, he states that he is “unable to go over to the law library to research and respond to motions filed by” defendants. He also notes that he does not have an attorney to advise or aid him.

Plaintiff has attached a letter from Cindy Smith, a certified reciprocal alcohol and drug counselor with the ITC Program. According to the letter, the ITC Program is a year-long, intensive drug treatment program. The program is broken up into phases, with each phase approximately nine weeks long. If an offender misses more than a week of any given phase, he would be held back from progressing. Plaintiff is currently in phase three and requires approximately six more weeks to complete this phase.


Having reviewed the motion and the letter in support, the Court must deny plaintiff’s request for a four-month continuance. Plaintiff has not demonstrated that there is currently any pending motion that requires him to undertake legal research. He has also not shown that he is

currently unable to file motions or responses with the Court. Finally, the letter from Ms. Smith indicates that an offender is not allowed to miss more than a week of any given phase. However, plaintiff has not established that this case will require him to absent himself from the ITC Program for this length of time. In short, plaintiff has not convinced the Court of his need for a blanket four-month continuance. Thus, plaintiff's motion will be denied at this time.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a continuance (Docket No. 49) is **DENIED** at this time.

Dated this 17th day of July, 2019.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE